

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES – SOCIAL WELFARE DEPARTMENT – Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) - Departmental proceedings under Rule 20 of the A.P.Civil Services (CC&A) Rules, 1991 Articles of charges – Issued.

SOCIAL WELFARE (SER.II.1) DEPARTMENT

G.O.Rt.No. 830

DATED: 08-12-2009

ORDER:

It is proposed to hold an enquiry against Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of irregularities in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges (Annexure-I). A statement of imputations of irregularities in support of each Article of Charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) is directed to submit his written statement of defence, within 10 days from the date of receipt of this order.

4. Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) is informed that an inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) is further informed, that if he does not submit his written statement of defence on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of rule 20 of APCS (CCA) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings, it will be presumed that Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of the Memorandum be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

Enclosures:- I to IV Annexure

To

Sri A.V.V.D.M. Prasad, Deputy Director (SW) (under suspension) (Through the Commissioner of Social Welfare A.P., Hyderabad)

Copy to:

The Commissioner of Social Welfare A.P., Hyderabad (with a request to serve the articles of charges and return the served copy to Government for record)

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-1

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI A.V.V.D.M. PRASAD, DEPUTY DIRECTOR (SW) (UNDER SUSPENSION)

Article of Charge No.I

That Sri A.V.V.D.M. Prasad while working as Dy.Director (SW), West Godavari District, at Eluru has allegedly misappropriated the Government money for Rs.1,71,58,018/- and credited the said amount in the Indian Bank Joint A/c No. 448015429, Eluru Branch, in favour of Smt. S.L. Kantham, mother of Sri S.Venkateswar Rao, B1 Senior Assistant, O/o Dy.Director (SW), West Godavari District by diverting Govt. money under Post Matric Scholarships with malafide intention as detailed below;

<u>DD/Cheque No. issued by SBI, Eluru</u>	<u>Amount in Rs.</u>
1. 864384, dated: 26-6-2008	: Rs. 1,40,190-00
2. 168030, dated: 26-6-2008	: Rs. 26,71,044-00
3. 867212, dated: 22-7-2008	: Rs. 7,14,150-00
4. 862946, dated: 11-6-2008	: Rs. 4,66,275-00
5. 151761, dated: 12-9-2008	: Rs. 16,00,550-00
6. 151759, dated: 9-9-2008	: Rs. 25,21,650-00
7. 151773, dated: 26-9-2008	: Rs. 13,78,830-00
8. 873449, dated: 26-9-2008	: Rs. 8,55,980-00
9. 30156, dated: 16-11-2006	: Rs. 4,07,575-00
10. 423288, dated: 19-4-2006	: Rs. 3,05,760-00
11. 424127, dated: 16-5-2006	: Rs. 1,18,620-00
12. 024215, dated: 21-8-2006	: Rs. 4,06,040-00
13. 301350, dated: 24-11-2006	: Rs. 2,83,580-00
14. 260752, dated: 19-6-2007	: Rs. 2,38,480-00
15. 973819, dated: 11-11-2003	: Rs. 48,500-00
16. 973822, dated: 11-11-2003	: Rs. 48,500-00
17. 984154, dated: 8-10-2004	: Rs. 1,78,045-00
18. 073898, dated: 30-4-2005	: Rs. 1,40,190-00
19. 074165, dated: 13-5-2005	: Rs. 1,43,890-00
20. 417896, dated: 23-12-2005	: Rs. 3,90,000-00
21. 079396, dated: 9-11-2005	: Rs. 3,89,565-00
22. 078537, dated: 29-9-2006	: Rs. 1,36,750-00

	: Rs. 1,35,68,974-00

Other irregular drawals:

23. 973820, 973821 and 973823 to 973829, dated	:Rs. 3,32,000-00
24. 984155, dated 8-10-2004	:Rs. 1,25,000-00
25. 984156, dated 8-10-2004	:Rs. 1,25,000-00
26. 872109, dated 13-9-2008	:Rs. 3,44,400-00
27. 872108, dated 13-9-2008	:Rs. 6,88,800-00
28. 872107, dated 13-9-2008	:Rs. 3,19,800-00
29. , dated 13-9-2008	:Rs. 70,644-00
30. 872102, dated 13-9-2008	:Rs. 1,45,800-00
31. 872105, dated 13-9-2008	:Rs. 5,02,200-00
32. 872103, dated 13-9-2008	:Rs. 1,13,400-00
33. 872106, dated 13-9-2008	:Rs. 4,86,000-00
34. 871894, dated 12-9-2008	:Rs. 3,36,000-00

Total: Rs. 35,89,044-00

Grand Total: Rs. 1,71,58,018-00

(Basis: Special Audit Report dated 28-3-2009 on misappropriation of Govt funds in the O/o Dy.Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad & Enquiry Report dated 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad)

Article of Charge No.II

That Sri A.V.V.D.M. Prasad while working as Dy.Director (SW), West Godavari District at Eluru and Asst. Accounts Officer (I/c) O/o Dy.Director (SW), West Godavari District, has irregularly processed the bills to the Treasury and drawn an amount of Rs. 1,71,58,018-00 through the DDs / Cheques in favour of S.L.Kantham a private building owner. On verification of the records and as per the list of Hostel Building Owners, there was no Hostel Building provided by S.L.Kantham.

As per the guide lines issued in G.O. Ms.No.90, SW (Edn.2) Department dated 30-7-2002 and G.O.Ms.No.112, SW (Edn.2) Department dated 30-9-2002, the Deputy Director (SW) is sanctioning and drawing officer. The Deputy Director, SW of the District is sanctioning authority for the Post Matric Scholarships to the eligible SC students who are studying at all levels duly following the procedures, norms, checks and guidelines prescribed in the GOs. The Dy.Director (SW) is responsible for any loss or misappropriation of Govt money. Whereas, Sri A.V.V.D.M Prasad, Dy.Director (SW), West Godavari has violated the rules contained in the above GO and allegedly misappropriated an amount of Rs. 1,71, 58,018/- willfully and deliberately duly colluding with his subordinate Sri S.Venkateswar Rao, Sr.Asst, O/o the DD,SW, Eluru.

(Basis: Special Audit Report dated 28-3-2009 on misappropriation of Govt funds in the O/o Dy.Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad & Enquiry Report dated 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad.)

Article of Charge No.III

That Sri A.V.V.D.M. Prasad, while he was working as Dy.Director (SW), West Godavari District at Eluru and Asst. Accounts Officer (I/c) O/o Dy.Director (SW), West Godavari District, colluded with his subordinate Sri S.Venkateswara Rao, Senior Assistant, O/o the Dy.Director (SW), West Godavari District at Eluru and drawn Government money for Rs. 1,71,58,018/- from Treasury and credited into the joint account of Sri S.Venkateswara Rao and his mother S.L. Kantham at Indian Bank, Eluru Account No. 448015429. These amounts were diverted to family members of Sri S.Venkateswara Rao, B-1, Sr.Assistant viz; S.Sreevalli, daughter, S.Kumari, wife, Sruibabu, etc., and also office staff ie. Sri V.Vivekananda, Office Subordinate, sri B.Seetharamaih, Jr.Assistant, Sri A.Benny, Driver of the Dy.Director's vehicle (Private) etc.

Thus, Sri A.V.V.D.M. Prasad Dy.Director (SW) (u/s), West Godavari District at Eluru being a responsible officer has violated the procedure and norms and misappropriated the above Government money willfully and deliberately and committed grave irregularities and utterly failed to discharge his legitimate duties.

(Basis: Special Audit Report dated 28-3-2009 on misappropriation of Govt funds in the O/o Dy.Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad & Enquiry Report dated 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad.)

Article of Charge No.IV

That Sri A.V.V.D.M. Prasad while working as Dy.Director (SW), West Godavari District, at Eluru, and Asst. Accounts Officer (I/c) O/o Dy.Director (SW), West Godavari District, has irregularly submitted inflated figures to obtain more budget under Post Matric Scholarships than required as seen from the comparison statement given below;

	West Godavari	East Godavari	Krishna
No of Colleges: (2008-09)	400	600	450
<u>Budget allocation</u>			
2004-2005	Rs.17,19,58,000	14,16,67,000	14,83,11,000
2005-2006	Rs.11,50,29,000	11,20,47,000	10,13,19,000
2006-2007	Rs.19,99,67,000	20,63,38,000	20,69,78,000
2007-2008	Rs.31,93,66,000	29, 44,29,000	29,15,32,000
2008-2009	Rs.40,48,92,000	24,86,76,000	23,78,87,000

It is evident that, the budget obtained by the Dy.Director (SW), Eluru, is more than the actual requirement as verified from the allocations made with reference to the number of Colleges/Students in the district. The huge allocation of funds helped Sri A.V.V.D.M.Prasad, Dy.Director (SW), Eluru, to collude with his subordinate Sri S.Venkateswara Rao, B1-Seat Senior Assistant to allegedly draw and misappropriate the amount to a tune of Rs. 1,01,20,874/- during the years 2007-08 and 2008-09 and during the period from 2003-04, 2004-05, 2006-07 to tune a of Rs.70,00,000/-.

(Basis: Special Audit Report dated 28-3-2009 on misappropriation of Govt funds in the O/o Dy.Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad & Enquiry Report dated 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad.)

Article of Charge No.V

That Sri A.V.V.D.M. Prasad, while working as Dy.Director (SW), West Godavari District, at Eluru purchased (16) Computers and (13) Printers from Post Matric Scholarship Budget for Rs. 10,67,350/- during the year 2008-09 without observing norms and rules in vogue. The relevant records were not produced to the audit team. Purchase of Computers and Printers under post matric scholarships budget is irregular. This shows the negligence and indifferent attitude of the office towards his official duties.

(Basis: Special Audit Report dated 28-3-2009 on misappropriation of Govt funds in the O/o Dy.Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad & Enquiry Report dated 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad.)

Article of Charge No.VI

That Sri A.V.V.D.M. Prasad, while working as Dy.Director (SW), West Godavari District, at Eluru, colluded with his subordinates, tampered and submitted bills to the Treasury for Rs.30,87,561/- with T.B.R. No. 937 dated 4-2-2009 towards payment of post matric scholarship to seven colleges. Trans I.D.No. of the bill is 30291 was passed for payment on 5-2-2009. The Bank Draft application with list of bank drafts was replaced by another Bank Draft application in favour of SL Kantham Building owner for an amount of Rs. 30,87,561/-. The Treasury Staff noticed the tampering of the draft application and approached the State Bank of India and requested to return the bill. The Bank officers struck of the entry in double scroll and returned the bill to the District Treasury Officer on 5-2-2009. As such, Sri A.V.V.D.M. Prasad, Dy.Director (SW)

has made an attempt for misappropriation of Government amount willfully, deliberately and with malafide intention.

(Basis: Special Audit Report dated 28-3-2009 on misappropriation of Govt. funds in the O/o Dy.Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad & Enquiry Report dated 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad.)

Article of Charge No.VII

That Sri A.V.V.D.M. Prasad, while working as Dy.Director (SW), West Godavari District, at Eluru, tried to conceal the entire episode of double drawal of Scholarship amount and save himself and his subordinates. On 05-02-2009 evening, the Senior Accountant concerned O/o Deputy Director, District Treasury, West Godavari, Eluru brought to his notice personally tampering of bill for Rs, 30,87,561/- towards payment of Post Matric Scholarships and stipends payable to the Principals of 7 Colleges in the district meant for disbursement to the students and that there was an attempt by his staff to misappropriate the said amount and defraud Govt. funds to that extent. The Office subordinates, employees of O/o Deputy Director (SW), West Godavari Eluru were found to be involved in the said illegal activities. It is also evident that Sri A.V.V.D.M.Prasad, Dy.Director (SW), Eluru sent the concerned clerks who approached the Senior Accountant concerned and the Asst. Treasury Officer, O/o Deputy Director, District Treasury on 6-2-2009, and requested the treasury officials and tried to get the bill passed in favour of the Principals of the 7 Colleges, without conducting any enquiry into the mischievous activities taking place in his office. Therefore, there is enough grounds for suspecting his indifferent attitude in dealing with the case of misappropriation which involved the funds of Government exchequer. His inaction shows that he has acted in manner unbecoming of an Officer.

Further, Sri A.V.V.D.M. Prasad, while working as Dy.Director (SW), West Godavari District at Eluru, has damaged the image of Social Welfare Department by his above act and utterly failed to maintain the integrity and discipline and his conduct is unbecoming of a Government Servant and thus contravened Rule 3 (1) (2) of A.P. Civil Services (Conduct) Rules, 1964.

(Basis: District Collector, West Godavari, Eluru in his proceedings No.A4/1023/2009 dated 09-02-2009)

V. NAGIREDDY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF IRREGULARITIES IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI A.V.V.D.M. PRASAD, DEPUTY DIRECTOR (SW) (UNDER SUSPENSION)

Sri A.V.V.D.M.Prasad S/o Sri Somaraju is a native of Rajahmundry, East Godavari District at Kakinada. He joined Government Service on 5-10-1990 as District Social Welfare Officer in Social Welfare Department and worked as District Social Welfare Officer up to 21-4-1994. Further, he was promoted as Deputy Director (SW) and joined duty on 22-4-1994. His date of birth is 1-7-1954. His date of attaining superannuation is 30-06-2012.

Sri A.V.V.D.M. Prasad, while working as Deputy Director (SW), West Godavari District, at Eluru, committed grave misconduct and misappropriated Government money by colluding with his subordinate Sri S.Venkateswara Rao, Senior Assistant, O/o the Dy.Director (SW), West Godavari District at Eluru and allegedly drawn the Government money for Rs.1,71,58,018/- from Treasury under Post matric scholarships budget and credited into the joint account of Sri S.Venkateswara Rao and his mother S.L. Kantham at Indian Bank Eluru Account No. 448015429. These amounts were diverted to family members of Sri S.Venkateswara Rao, B-1, Sr.Assistant viz; S.Sreevalli, daughter, S.Kumari, wife, Sruibabu, etc., and also office staff ie. Sri V.Vivekananda, Office Subordinate, Sri B.Seetharamaih, Jr.Assistant, Sri A.Benny, Driver of the Dy.Director's vehicle (Private) etc.

Thus, Sri A.V.V.D.M. Prasad, Dy.Director (SW), West Godavari District at Eluru, (u/s) being a responsible officer has violated the procedure laid down in G.O. Ms.No.90, SW (Edn.2) Department dated 30-7-2002 and misappropriated the above Government money willfully, deliberately and committed grave irregularities and utterly failed to discharge his legitimate duties.

Further, Sri A.V.V.D.M. Prasad, while he was working as Dy.Director (SW), West Godavari District, at Eluru, damaged the image of Social Welfare Department by his above act and utterly failed to maintain the integrity and discipline and his conduct is unbecoming of a Government Servant and thus contravened Rule 3 (1) (2) of A.P. Civil Services (Conduct) Rules, 1964.

Thus, Sri A.V.V.D.M. Prasad, Dy.Director (SW) (U/s) by his above mentioned acts exhibited lack of integrity, devotion to duty. His conduct is unbecoming of a Government Servant and thereby contravened Rule 3 (1) & (2) of APCS (Conduct) Rules, 1964.

Thus, the Government Servant rendered himself liable for Regular Departmental action for major penalty.

V. NAGIREDDY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI A.V.V.D.M. PRASAD, DEPUTY DIRECTOR (SW) (UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED.

LIST OF DOCUMENTS: (1) Special Audit Report dated 28-3-2009 on misappropriation of Govt. funds in the O/o Dy. Director (SW), West Godavari District furnished by the AO (Audit) O/o CSW, AP, Hyderabad. (2) Enquiry Report dt: 24-2-2009 of JD (S/ships), O/o CSW, AP, Hyderabad

V. NAGIREDDY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-IV

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED
AGAINST SRI A.V.V.D.M. PRASAD, DEPUTY DIRECTOR (SW) (UNDER
SUSPENSION)**

1. Smt. Ch. Anuradha, Senior Accountant, O/o D.T., Eluru.

V. NAGIREDDY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER